

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Estate of William Fisher,

Civil No. 19-cv-2514 (DSD/TNL)

Plaintiff,

v.

ORDER

Alex M. Azar, II, Secretary of the United
States Department of Health and Human
Services,

Defendant.

Based upon the Report and Recommendation by United States Magistrate Judge
Tony N. Leung dated August 21, 2020 (ECF No. 29), along with all the files and records,
and no objections to said Recommendation having been filed, **IT IS HEREBY**

ORDERED that:

1. Plaintiff's Motion for Summary Judgment (ECF No. 18) is **GRANTED AND
DENIED IN PART.**
2. Defendant's Motion for Summary Judgment (ECF No. 23) is **DENIED.**
3. This matter is remanded back to the MAC for further proceedings consistent
with this opinion.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: September 10, 2020

/s David S. Doty
David S. Doty, Judge
United States District Court